

Appendix E

ENVIRONMENTAL COMMITMENTS

The following describes the environmental commitments that Reclamation will include in the Record of Decision if the proposed action is implemented. Environmental commitments include any mitigation measures identified for the resource components evaluated in chapter 4, as well as commitments made in response to the Fish and Wildlife Coordination Act Report recommendations.

Regional/Local Economy and Recreation

Extending boat launches, modifying mooring docks, and dredging deeper channels would improve watercraft access at lower water levels. To the extent available, funds will be provided to ensure that usable boat ramps, courtesy docks, and swimming areas still exist on both the north and south ends of Banks Lake. Not all such areas need to be enhanced, but public access will be maintained to the lake for recreational purposes.

Historic Resources

Historic resource surveys in the 1565- to 1570-foot elevation drawdown zone are scheduled for the 2002 drawdown. Surveys in the 1560- to 1565-foot elevation drawdown zone will be scheduled during the first year this drawdown occurs.

Traditional Cultural Properties

Surveys for TCPs in the 1565- to 1570-foot elevation drawdown zone are scheduled for the 2002 drawdown. Surveys in the 1560- to 1565-foot elevation drawdown zone will be scheduled during the first year this drawdown occurs.

Native American Sacred Sites

Measures to identify sacred sites will coincide with an historic resource survey in the 1565- to 1570-foot elevation during the annual 2002 drawdown. The same will occur under the Action Alternative at the first opportunity.

Coordination Act Report Recommendations

In accordance with the Fish and Wildlife Coordination Act (48 Stat. 401, as amended, 16 USC 661 et seq.), the FWS provided a draft Coordination Act Report documenting wildlife resources, habitat, and management concerns within the drawdown study area (FWS 2002) to assist in the development of this document. A final Coordination Act Report will be provided following review of the draft EIS.

Reclamation has agreed to the following recommendations outlined in the draft Coordination Act Report (Appendix A):

- Some mitigation actions for various adverse impacts (existing and potential future impacts) could include the establishment of native riparian vegetation in various areas of the drawdown zone, such as native bunchgrasses and forbs in shrub-steppe and riparian vegetation along the shorelines. The limited time frame of this drawdown may limit the logistical feasibility of this mitigation.

Reclamation is working with the BASS Federation on vegetation enhancements around the reservoir; however the short duration of the drawdown is anticipated to limit terrestrial vegetation from growing in the drawdown zone.

- The BOR [Bureau of Reclamation] should designate a minimum operating level for Banks that allows for feasible operation of net-pen operations at the north and south ends of Banks Lake.

As outlined in the draft EIS, Reclamation retains the ability to operate the reservoir at any elevation that allows for complete delivery of water to CBP irrigators. This minimum elevation would not allow for operation of the net pens. However, Reclamation will attempt to maintain an elevation in Banks Lake that allows for operation of the net pens.

- If 10-foot drawdown is extended into the early spring season of 2003, the BOR shall ensure that both net-pen operations at the north and south ends of Banks Lake will be moved to an ideal operation location before September 2002.

No refill scenario being considered leaves Banks Lake below 1565 past the middle of September. During those years when maintenance needs of the reservoir facilities requires an extended drawdown and overwinter retention of the lower elevation, Reclamation will not assist, as mitigation for this action, with the relocation of the net pens. We will inform the operators of the net pens when such maintenance drawdowns will happen so that operation of the pens can be suspended at that time.

- If the 10-foot drawdown is implemented, the BOR should ensure timely refill of Banks Lake up to 1565 feet by early September to ensure operation of net-pens.

Reclamation anticipates that refill to 1565 feet will occur early in September.

- The BOR shall work collaboratively with the WDFW and the Service to develop studies that would examine the effects or lack of effects of the proposed drawdown on rearing fish species in Banks Lake.

Reclamation will work with WDFW and USFS on studies of the effects on the drawdown on fish rearing..

- The Service recommends the BOR to develop a short-term plan that would address potential modifications of current boat ramp and moorage facilities in order to facilitate summer use activities.

Some mitigation of loss of boating facilities will be undertaken.

- The BOR should ensure that a complement of riparian vegetation be maintained along the Banks Lake drawdown zone and that conditions should be sufficient to provide for short-term input of nutrients into the water column as Banks Lake approaches its refill goal.

It is anticipated that efforts being made by the BASS Federation in cooperation with Reclamation and WDFW will not only maintain the riparian vegetation, but enhance it.

- A study to determine the reproductive success of western grebes in the study area should be initiated to help determine the level of management that should be applied to protect these birds in light of the proposed drawdown.
- Surveys for pygmy rabbits should be done in specific areas within shrub-steppe communities to address the potential of increased public use that has been diverted away from Banks Lake due to the drawdown.
- Hatchery compensation via the WDFW is an option that the BOR should pursue if lack of recruitment for certain fish populations is linked to the proposed drawdown.
- Protection of habitat, such as shrub-steppe, from fire is important, in this and region since it does not recover quickly from fire. Attempts should be made to ensure shoreline access to water resources in the event of uncontrolled wildfire in these designated shrub-steppe areas.
- Additional Ute ladies'-tresses surveys should be conducted at the two perennial streams which enter Banks Lake from the northwest and some of the springs and seeps within the immediate vicinity to determine potential impacts to this plant from the proposed drawdown.
- Updating the GIS [geographic information system] work that was done at Banks Lake by the BOR would be valuable. Aside from changes that will occur over time, this would allow some of the errors the Service identified in its 1998 Planning Aid

Memorandum (U.S. Fish and Wildlife Service 1998) to be corrected and a more accurate vegetation map to be generated to determine potential wetland impacts linked to the drawdown and concurrent management actions.

- The BOR should initiate studies to examine the potential effects of the drawdown on wildlife species.

The following are the CAR recommendations that Reclamation would not agree to for the reasons provided.

- Funding should be provided for improvement of existing net pens, including structures to eliminate depredation by birds if “Action” Alternative B is selected.

As part of this action Reclamation will not provide funding to private endeavors utilizing the reservoir for rearing of fish. While Reclamation issued permits for the operation of the net pens, the sole operation risk is with the groups operating the pens.

- The high value of the Devil’s Punch Bowl area to several migratory bird species and the close proximity of a significant amount of recreation pressure undoubtedly leads to adverse impacts to sensitive habitats and disturbance to these species. Actions should be included, for the “No Action” and “Action” alternatives, that provide some level of protection to species using this area, at least during nesting and rearing seasons.

The Action alternatives have slight negative affects on recreation, potentially reducing recreation pressure as outlined in the recommendation. This reduction would be limited to a short period in August/September, so most likely would not affect nesting but could reduce disturbance during the rearing period. The No Action Alternative, by definition, includes no new Federal action, so it would be inappropriate to include new or additional actions by Reclamation to reduce recreational pressure in the No Action Alternative. To a large extent, the recreational activities which result in the impacts of concern are outside of the scope of this EIS. While the recreational activities may affect species using the Devil’s Punch Bowl, they are better addressed in management plans that have been developed by the managing agencies, including implementation of the recently completed Resource Management Plan for Banks Lake (Reclamation 2001).

- Restrictions on the use of PWC during fish spawning seasons in certain areas could benefit several fish species where spawning habitat has become limited due to the proposed drawdown.

It is not anticipated that spawning areas will be limited due to the drawdown. Reclamation addressed the question of restrictions on PWCs in the development of the Banks Lake Resource Management Plan and concluded that Reclamation has no authority to regulate watercraft in the State of Washington by State law.

- Impacts of the several fishing tournaments at Banks Lake on fisheries should be determined and tournaments modified or curtailed, if necessary to facilitate

spawning events.

Fishing tournaments and their regulation are the responsibility of the Washington State Department of Fish and Wildlife. Reclamation has no authority to regulate the timing, extent or number of tournaments.

- The BOR should use all available techniques to eliminate water milfoil if proposed drawdown is implemented. Do not use control methods that would result in negative impacts to desirable submergent, aquatic plants and aquatic invertebrates.

The extent of drawdown in the “Action” alternative is not lengthy enough to affect Eurasian water milfoil. It is not anticipated that this drawdown will effect the amount or extent of the milfoil infestation in the reservoir, nor are there known techniques available for such control. Future deeper drawdowns for maintenance purposes, where the level of the reservoir is reduced throughout the winter will most likely have some effect on milfoil but short duration drawdowns do not.